

LEGAL BASIS FOR COLD-WAR ACTIVITIES

QUESTION. Mr. McCone, what is the legal basis, the juridical or constitutional right, of CIA or of the Executive Branch to carry out covert activities directed towards the imposition of a particular line of political thought on a foreign country?

ANSWER. Not being a lawyer, I do not feel competent to argue the legal aspects of your question. It is my understanding, however, that the President has wide powers, particularly in the field of foreign relations, which do not necessarily depend on specific statutory authorization, and he can exercise those powers when he deems it necessary to protect the national interest, provided, of course, his actions do not violate our constitution. Our history contains many instances of such Executive action, and his authority to act should be no less true in these days of world-wide Communist aggression. The CIA is a member of the Executive Branch and is by law subject to the direction of the National Security Council, of which the President is Chairman. Like the other departments and agencies involved in the field of foreign affairs, CIA will be given the role to carry out which the President and the National Security Council deem appropriate. I will endeavor to carry out such assigned functions to the best of my ability.